

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 14, 2001
SAN FRANCISCO, CALIFORNIA**

S093980 The People, Plaintiff and Respondent

3rd Dist. v.

C030923 Travis D. Reay, et al., Defendants and Appellants

Respondent's petition for review granted. In addition to the issues presented in that petition, the parties are directed to brief the question of to what extent, if any, is duress a defense to a homicide-related crime.

Appellant Travis D. Reay's petition for review is denied.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S094101 The People, Plaintiff and Respondent

3rd Dist. v.

C032328 Joe Willie Morgan, Defendant and Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cleveland*, S078537 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appointment of counsel is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S094236 Waremart, Inc., Plaintiff and Respondent

3rd Dist. v.

C034318 Progressive Campaigns, Inc., et al., Defendants and Appellants.

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Golden Gateway v. Golden Gateway Tenants Association*, S081900 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S094336 The People, Plaintiff and Respondent

2nd Dist. v.

B132682 Francisco Javier Medina, Defendant and Appellant

Div. 1 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cleveland*, S078537 and *People v. Williams*, S066106 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appointment of counsel is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S094490 The People, Plaintiff and Respondent
5th Dist. v.
F030690 Myron Carlyle Mower, Appellant
 Petition for review GRANTED.

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Brown, J.

S094675 County of Riverside, Petitioner
4th Dist. v.
E026321 Superior Court of the Riverside County, Respondent
Div. 2 Xavier Martin Madrigal, Real Party in Interest
 Petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S079656 In re Miguel Angel Bacigalupo
 on
 Habeas Corpus

The Director of the Department Corrections is ordered to show cause in this court, when the matter is placed on calendar, why the judgment of death should not be set aside on the ground that the prosecution withheld potentially mitigating evidence supportive of petitioner's claim to have acted under death threats as alleged in the petition for writ of habeas corpus claim G. (see App. Nos. 86 and 87 to Ex. A) and claim I., paragraph 6 (see Exs. 56 and 85). The return shall be filed on or before April 13, 2001.

Kennard, J., is of the opinion the order to show cause should also include petitioner's claim that the jury improperly considered a biblical passage during the penalty phase deliberations, as alleged in the petition claim J., paragraph 4 (see Ex. M., paragraph 4.)

George, C.J.
Mosk, J.
Kennard, J.
Werdegar, J.
Chin, J.
Brown, J.

4th Dist. The People, Plaintiff and Respondent
E025653 v.
Div. 2 Patricia Hagen, Defendant and Appellant
S094084 Petition for review GRANTED.

The cause is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its opinion, make such editorial changes as that court sees fit to render the opinion suitable for publication, and refile the modified opinion.

George, C.J.
Baxter, J.
Werdegarr, J.
Chin, J.

S094002 Salwan Nafsu, Plaintiff and Appellant

4th Dist. v.

D035536 Steven Michael Hurd, Defendant and Respondent

Div. 1 The parties having settled the above-entitled review is
DISMISSED as moot and and cause is remanded to the Court of
Appeal, Fourth Appellate District, Division One. (Rule 29.4(c), Cal.
Rules of Court.)

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S065139 In re Curtis Lynn Fauber

on

Habeas Corpus

The petition for writ of habeas corpus, filed October 17, 1997, is denied. Claim I is denied as premature. All remaining claims, including all subclaims, are denied on the merits. Except for claims I, XIII, XIV, XVI, XX, XXVI and XXVIII, all claims in the petition are denied as untimely. (See *In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750.)

Except to the extent framed as claims of ineffective assistance of counsel, and to the extent based on matters of record, the following claims are also denied on the ground that they could have been, but were not, raised on appeal (see *In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756): claims IV (denial of counsel at hearing), V, VIII, X, XV, XVIII, XIX, XXIII, XXIV, XXV and XXVII.

Justices Mosk and Brown would deny solely on the merits.

S093360 In re Lewis Carter

on

Habeas Corpus

Petition for writ of habeas corpus and request for temporary restraining order DENIED.

S094082 In re Bolden Bruce Kittrell on Discipline
 Petition for writ of review DENIED.

S095591 Timothy L. Taggert, Petitioner
 v.
 Fourth Appellate District, Division Two, Respondent
 Application for stay and petition for writ of mandate DENIED.

1st Dist. People, Respondent
A084119 v.
Div. 3 Stephanie Jackson, Appellant
S094825 Petition for review DENIED.

1st Dist. People, Respondent
A085440 v.
Div. 1 Arvind Balu, Appellant
S094436 Petition for review DENIED.

1st Dist. People, Respondent
A086097 v.
Div. 3 Shugar Ray Thornton, Appellant
S094911 Petition for review DENIED.

1st Dist. People, Respondent
A086286 v.
S094433 Michael Ray Jones, Appellant
 Petition for review DENIED.

1st Dist. Nancy Ryti, Appellant
A086431 v.
Div. 2 Bdo Seidman et al., Respondents
S094659 Petition for review DENIED.
 The request for an order directing publication of the opinion is
 DENIED.

1st Dist. People, Respondent
A086591 v.
Div. 4 Wanjiko Hardin, Appellant
S094540 Petition for review DENIED.
 Kennard, J., and Brown, J., are of the opinion the petition should
 be granted.

1st Dist. People, Respondent
A086644 v.
A086710 Clifford Lacayo et al., Appellants
Div. 3 And Companion Case
S094105 Petitions for review DENIED.

1st Dist. People, Respondent
A086752 v.
A091954 Roland Kramer, Appellant
Div. 2 -----
S094100 In re Roland Kramer on Habeas Corpus
Petition for review DENIED.

1st Dist. People, Respondent
A087084 v.
A090935 Donald Ray Duke, Appellant
A090495 -----
Div. 2 In re Donald Ray Duke on Habeas Corpus
S095058 And Companion Case
Petition for review DENIED.

1st Dist. People, Respondent
A087922 v.
Div. 3 Felton Juan Williams, Appellant
S094925 Petition for review DENIED.

1st Dist. People, Respondent
A088168 v.
Div. 3 Shyla Colleen Ducker, Appellant
S094316 Petition for review DENIED.

1st Dist. People, Respondent
A088625 v.
Div. 5 Shair Sahadat Ali, Appellant
S094789 Petition for review DENIED.

1st Dist. Aaronson, Dickerson, Cohn & Lanzzone, Respondent
A088706 v.
Div. 2 Janet Yip, Appellant
S094819 Abbott & Woo, PLC, Respondent
Petition for review DENIED.

- 1st Dist. Kristy Shubin, Respondent
A088858 v.
Div. 4 William Lyon Homes Inc., et al., Appellants
S093856 Petition for review DENIED.
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed November 14, 2000, which appears at 84 Cal.App.4th 1041. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 1st Dist. People, Respondent
A088861 v.
Div. 1 Mariano Tinajero, Appellant
S095017 Petition for review DENIED.
- 1st Dist. People, Respondent
A089354 v.
Div. 3 Troy Randall Allan, Appellant
S094892 Petition for review DENIED.
- 1st Dist. People, Respondent
A089359 v.
Div. 4 Jerome Houston, Appellant
S094962 Petition for review DENIED.
- 1st Dist. Kenneth Asplund, et al., Appellants
A089432 v.
Div. 2 Sife, Respondent
S094580 Petition for review DENIED.
The requests for an order directing depublication of the opinion are denied.
- 1st Dist. Giampiero Manicinelli et al., Respondents
A089570 v.
Div. 1 Creola Love, Appellant
S094512 Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.
- 1st Dist. Paula Pelot, Appellant
A089659 v.
Div. 1 Patricia Smock, Respondent
S094459 Petition for review DENIED.

1st Dist. People, Respondent
A089725 v.
Div. 1 Johnny Ray Crawl, Appellant
S094795 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A090167 v.
Div. 1 Kevin Murray, Appellant
S094918 Petition for review DENIED.

1st Dist. People, Respondent
A090281 v.
Div. 3 Charles Warren Lastrup, Appellant
S095002 Petition for review DENIED.

1st Dist. In re Mariano Tinajero
A092365 on
Div. 1 Habeas Corpus
S095353 Petition for review DENIED.

1st Dist. Eddye Melaragno and Nina Ringgold, Petitioners
A092367 v.
Div. 4 Alameda County Superior Court, Respondent
S093857 Stephen Lockhart, Real Party in Interest
Petition for review DENIED.
Application for stay denied.

1st Dist. Alex Demolle, Petitioner
A093038 v.
Div. 5 Alameda County Superior Court, Respondent
S094223 People, Real Party in Interest
Petition for review DENIED.

1st Dist. Classic VIP Transport Express Inc., Petitioner
A093384 v.
Div. 4 Alameda County Superior Court, Respondent
S094554 Bennie Williams, et al., Real Parties in Interest
Petition for review DENIED.

1st Dist. Aktiv Planning, Inc., Petitioner
A093611 v.
Div. 2 San Francisco County Superior Court, Appellate Dept., Respondent
S094515 1700 California Street LLC, Real Party in Interest
Petition for review DENIED.

1st Dist. Anthony Edward Burke, Petitioner
A093688 v.
Div. 1 Sonoma County Superior Court, Respondent
S095174 People, Real Party in Interest
Petition for review DENIED.

1st Dist. Southern Company Energy Marketing L.P. et al., Petitioners
A093697 v.
Div. 1 California Public Utilities Commission, Respondent
S095048 Petition for review DENIED.

1st Dist. Carol Mardeusz, Petitioner
A093711 v.
Div. 3 Marin County Superior Court, Respondent
S095233 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. People, Respondent
B109473 v.
Div. 2 Edward Elorreaga, Appellant
S094220 Petition for review DENIED.

2nd Dist. Hughes Aircraft Company, Appellant
B110198 v.
Div. 2 Associated Aviation Underwriters, Inc., et al., Appellants
S094714 Petition for review DENIED.

2nd Dist. People, Respondent
B118146 v.
Div. 6 Diana Haun, Appellant
S093815 Petition for review DENIED.
The request for an order directing partial publication of the
opinion is denied.

2nd Dist. B118886 Div. 6 S095099	People, Respondent v. John William Linnihan, Appellant Petition for review DENIED.
2nd Dist. B118991 Div. 4 S094292	People, Respondent v. Steven Hypolite, Appellant Petition for review DENIED.
2nd Dist. B124921 Div. 3 S094202	People, Respondent v. Donald Eugene Skelton, Appellant Petition for review DENIED.
2nd Dist. B125175 Div. 1 S094959	Baker & McKenzie, Plaintiff, Cross-defendant and Appellant v. Contemporary Services Corporation, Defendant, Cross-complainant and Appellant Gordon E. Bosserman, Cross-defendant and Appellant Petition for review DENIED.
2nd Dist. B125332 Div. 2 S094454	People, Respondent v. Earl Travis Gardner, Appellant Petition for review DENIED.
2nd Dist. B129735 Div. 6 S094749	People, Respondent v. Robert Frank Garfel, Appellant Petition for review DENIED.
2nd Dist. B131616 Div. 3 S094147	People, Respondent v. Deshawn Lanear Bateman, Appellant Petition for review DENIED.
2nd Dist. B131770 Div. 3 S094898	Lechuza Villas West, Plaintiff and Appellant v. State Lands Commission, et al., Defendants Appellants Petition for review DENIED.

2nd Dist. Baxter Healthcare Corporation et al., Appellants
B132317 v.
Div. 6 California Insurance Guarantee Association, Respondent
S094449 Petition for review DENIED.

2nd Dist. People, Respondent
B132556 v.
Div. 3 Darral Deon Douglas, Appellant
S094133 Petition for review DENIED.

2nd Dist. Gail B. Sachs, Appellant
B132595 v.
Div. 1 Jeffrey L. Sachs, Defendant
S095052 Karen Sheila Worchell, Third Party Claimant & Appellant
 Petition for review DENIED.
 The request for an order directing publication of the opinion is
 DENIED.

2nd Dist. People, Respondent
B132893 v.
Div. 3 Robert Gary Phillips II, Appellant
S093962 Petition for review DENIED without prejudice to filing a petition
 for writ of habeas corpus in the sentencing court.
 Kennard, J., and Werdegarr, J., are of the opinion the petition
 should be granted.

2nd Dist. People, Respondent
B132962 v.
Div. 2 Herman Orozco, Appellant
S095111 Petition for review DENIED.

2nd Dist. People, Respondent
B133279 v.
Div. 2 David Lee Boyd et al., Appellants
S095036 Petition for review DENIED.

2nd Dist. Margaret Gardenhire, Respondent
B133284 v.
Div. 4 Housing Authority of the City of Los Angeles, Appellant
S094537 Petition for review DENIED.
 The requests for an order directing depublication of the opinion
 are denied.

2nd Dist. B133531 Div. 1 S094938	People, Respondent v. Arturo Sencion, Appellant Petition for review DENIED.
2nd Dist. B133878 Div. 1 S094985	People, Respondent v. Cedric Tyrone Moore, Appellant Petition for review DENIED.
2nd Dist. B133997 Div. 3 S094824	People, Respondent v. Sunny Park, Appellant Petition for review DENIED.
2nd Dist. B134121 Div. 2 S095117	People, Respondent v. Gabriel Alberto Tena, Appellant Petition for review DENIED.
2nd Dist. B134642 Div. 4 S095062	In re Jerome D., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Jerome Martez D., Appellant Petition for review DENIED.
2nd Dist. B134875 Div. 4 S094424	Leanne Jensen, Appellant v. Wells Fargo Bank, Respondent Petition for review DENIED. Baxter, J., did not participate. Chin, J., and Brown, J., are of the opinion the petition should be granted.
2nd Dist. B135273 Div. 2 S095109	People, Respondent v. Leslie Bragg, Appellant Petition for review DENIED.

2nd Dist. Imperial Capital, etc., Respondent
B135447 v.
Div. 3 W.N. Acquisition Corporation, etc. et al., Appellants
S094833 Petition for review DENIED.

2nd Dist. People, Respondent
B135332 v.
Div. 7 Daniel Canto, Appellant
S094407 Petition for review DENIED.
Baxter, J., and Brown, J., are of the opinion the petition should be granted.
The request for an order directing publication of the opinion is denied.

2nd Dist. People, Respondent
B135646 v.
Div. 1 Dinshaw Bhagwagar, Appellant
S094237 Petitions for review DENIED.
Mosk, J., is of the opinion review should be granted.

2nd Dist. People, Respondent
B135661 v.
Div. 7 James L. Pledger, Appellant
S094778 Petition for review DENIED.

2nd Dist. People, Respondent
B135724 v.
Div. 4 Edgar Sanchez, Appellant
S094974 Petition for review DENIED.

2nd Dist. People, Respondent
B135751 v.
Div. 4 Donald G. Phillips, Appellant
S095068 Petition for review DENIED.

2nd Dist. People, Respondent
B136261 v.
Div. 1 Kamau A. Shabazz, Appellant
S095015 Petition for review DENIED.

2nd Dist. B136263 Div. 2 S095075	People, Respondent v. Jesus Alberto Castaneda, Appellant Petition for review DENIED.
2nd Dist. B136454 Div. 2 S095118	People, Respondent v. Gregory Jovan Martin, Appellant Petition for review DENIED.
2nd Dist. B136921 Div. 6 S095220	People, Respondent v. Sean Meijer, Appellant Petition for review DENIED.
2nd Dist. B137025 Div. 7 S094835	People, Respondent v. Carlos M. McIntosh, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B137153 Div. 6 S094446	People, Respondent v. Charles Lewis Braggs, Appellant Petition for review DENIED.
2nd Dist. B137229 Div. 1 S094882	People, Respondent v. Eduardo Espino, Appellant Petitions for review DENIED.
2nd Dist. B137264 Div. 4 S094944	Minor Jimenez, Respondent v. City of Los Angeles et al., Respondents Petition for review DENIED.
2nd Dist. B137286 Div. 5 S095055	People, Respondent v. Jerry Dewayne Chambers, Appellant Petition for review DENIED.

2nd Dist. People, Respondent
B137368 v.
Div. 6 William Louis Bartlett, Appellant
S094801 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. Joseph Runnell, Appellant
B137394 v.
Div. 2 Tad Danz, Respondent
S094484 Petition for review DENIED.

2nd Dist. People, Respondent
B137506 v.
Div. 4 Hayward Lee Mayhan, Appellant
S094867 Petition for review DENIED.

2nd Dist. People, Respondent
B137529 v.
Div. 1 Adrian Cida, Appellant
S094104 Petition for review DENIED.

2nd Dist. People, Respondent
B137531 v.
Div. 3 Salvador C. Salinas, Appellant
S094870 Petition for review DENIED.

2nd Dist. Michael Laroue, Appellant
B137941 v.
Div. 7 Board for Professional Engineers, Respondent
S095110 Petition for review DENIED.

2nd Dist. B137969 B138010 S094224	In re Robert Anthony S., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Robert Anthony S., Appellant ----- In re Shane Michael S., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Shane Michael S., Appellant Petitions for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B137975 Div. 4 S095087	People, Respondent v. Noel A. Johnson, Appellant Petition for review DENIED.
2nd Dist. B138391 Div. 6 S095073	People, Respondent v. Timothy Wayne Forbes, Appellant Petition for review DENIED.
2nd Dist. B138409 Div. 6 S094902	People, Respondent v. Ranger Insurance Company, Appellant Petition for review DENIED.
2nd Dist. B138478 Div. 5 S094447	People, Respondent v. Cuong Truong, Appellant Petition for review DENIED.
2nd Dist. B138922 Div. 2 S094444	Alex Cota, Appellant v. David Simonton, Respondent Petition for review DENIED.

2nd Dist. People, Respondent
B138941 v.
Div. 1 Charles E. White, Appellant
S094541 Petition for review DENIED.

2nd Dist. In re Adrian R., a Person Coming Under the Juvenile Court Law
B139055 -----
Div. 5 People, Respondent
S094598 v.
Adrian R., Appellant
Petition for review DENIED.

2nd Dist. In re the Marriage of Brenda K. and Richard D. Williams
B139239 -----
Div. 5 Brenda K. Williams, Respondent
S094838 v.
Richard D. Williams, Appellant
Petition for review DENIED.
The request for an order directing publication of the opinion is
DENIED.

2nd Dist. People, Respondent
B139251 v.
Div. 4 Alfred J. Rodney, Appellant
S095107 Petition for review DENIED.

2nd Dist. People, Respondent
B139393 v.
Div. 6 Tanya Dawn Pittman, Appellant
S094755 Petition for review DENIED.

2nd Dist. People, Respondent
B139408 v.
Div. 3 Ronnie Lee Cole, Appellant
S094799 Petition for review DENIED.

2nd Dist. People, Respondent
B139411 v.
Div. 7 Tyrone Desmond Douglas, Appellant
S095226 Petition for review DENIED.

2nd Dist. B139423 Div. 6 S094118	People, Respondent v. Javier Hernandez Avila, Appellant Petition for review DENIED.
2nd Dist. B139598 Div. 6 S094926	People, Respondent v. Rosalio Leo Garcia, Appellant Petition for review DENIED.
2nd Dist. B139633 Div. 1 S094792	People, Respondent v. Derrick Deon Winston, Appellant Petition for review DENIED.
2nd Dist. B139661 Div. 4 S095012	People, Respondent v. Eriq Fitzpatrick, Appellant Petition for review DENIED.
2nd Dist. B139748 Div. 6 S094988	Guardianship of Elan Ehrhardt-Bullard, a Minor ----- Louis Ehrhardt, et al., Petitioners and Appellants v. Elan J. Ehrhardt-Bullard, Respondent Petition for review DENIED.
2nd Dist. B139920 Div. 6 S095018	People, Respondent v. Qiang Huang, Appellant Petition for review DENIED.
2nd Dist. B139977 Div. 2 S094572	Lillian Cannady et al., Appellants v. Paradise Memorial Park, et al., Respondents Petition for review DENIED.
2nd Dist. B139981 Div. 6 S094814	Preston Braxton, Appellant v. Kathy D. Braxton, Respondent Petition for review DENIED.

2nd Dist. People, Respondent
B140030 v.
Div. 4 Jesus Salvador Sanchez, Appellant
S094907 Petition for review DENIED.

2nd Dist. People, Respondent
B140099 v.
Div. 6 Randall Sean Malis, Appellant
S094965 Petition for review DENIED.

2nd Dist. People, Respondent
B140139 v.
Div. 4 Billy W. Cooper, Appellant
S094095 Petition for review DENIED.

2nd Dist. People, Respondent
B140720 v.
Div. 6 Epifanio Dimalanta, Appellant
S095102 Petition for review DENIED.

2nd Dist. People, Respondent
B141163 v.
Div. 4 Carlos Javier Rojas, Appellant
S094747 Petition for review DENIED.

2nd Dist. People, Respondent
B141188 v.
Div. 2 Steven William Jones, Appellant
S094945 Petition for review DENIED.

2nd Dist. People, Respondent
B141507 v.
Div. 1 Jaime Caldera, Appellant
S094850 Petition for review DENIED.

2nd Dist. People, Respondent
B141487 v.
Div. 4 Walter Jefferson, Appellant
S094865 Petition for review DENIED.

2nd Dist. B144722 Div. 6 S095040	Sharon Harrison, Petitioner v. Workers' Compensation Appeals Board, et al., Respondents Petition for review DENIED.
2nd Dist. B144828 Div. 6 S095162	Peter Daniel, Petitioner v. Workers' Compensation Appeals Board, Respondent Petition for review DENIED.
2nd Dist. B144976 Div. 4 S095096	Linda Marie Romney, Appellant v. Gene A. Kooiman, Respondent Petition for review DENIED.
2nd Dist. B145057 Div. 3 S094400	Southdown, Inc., Petitioner v. Los Angeles County Superior Court, Respondent Herbert Green, Real Party in Interest Petition for review DENIED.
2nd Dist. B145400 Div. 6 S095006	Robert Herver, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
2nd Dist. B145740 Div. 5 S094826	John Thymes, Appellant v. Cal-West Trustee, Respondent Petition for review DENIED.
2nd Dist. B145807 Div. 5 S094942	Hospitality Furnishings International, Inc., Petitioner v. Los Angeles County Superior Court, Respondent RMS Foundation, Inc., et al., Real Parties in Interest Petition for review DENIED.
2nd Dist. B145848 Div. 7 S094630	Augustina Nwosu, Petitioner v. Los Angeles Unified School District, Respondent Workers' Compensation Appeals Board, Respondent Petition for review DENIED.

2nd Dist. Patricia Bohannon, Petitioner
B146219 v.
Div. 3 Los Angeles County Superior Court, Respondent
S094933 National Basketball Players Association, Real Party in Interest
Petition for review DENIED.

2nd Dist. Torch Operating Company et al., Petitioners
B146513 v.
Div. 6 Santa Barbara County Superior Court, Respondent
S094193 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. James Ball et al., Petitioners
B146782 v.
Div. 6 San Luis Obispo Superior Court, Respondent
S094973 Sunterra Corporation, Real Party in Interest
Petition for review DENIED.

2nd Dist. Madeline Jackson, Petitioner
B147088 v.
Div. 6 Santa Barbara County Superior Court, Respondent
S095056 Linda Maynes et al, Real Parties in Interest
Petition for review DENIED.

2nd Dist. In re Larry David Corbin
B147105 on
Div. 2 Habeas Corpus
S094927 Petition for review DENIED.

2nd Dist. Abdul Aziz Mohd Alkhelaifi, Petitioner
B147128 v.
Div. 1 Los Angeles County Superior Court, Respondent
S094943 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. City of Simi Valley, Petitioner
B148036 v.
Div. 6 Ventura County Superior Court, Respondent
S095782 Shelley Ann Padalecki, Real Party in Interest
Application for stay and petition for review DENIED.

3rd Dist. People, Respondent
C029669 v.
S094204 Larry Donnell Freeman, Appellant
Petitions for review DENIED.

3rd Dist. People, Respondent
C030025 v.
S095115 Hans Roy Holland, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C031222 v.
S095215 Matt James Fulford, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C031677 v.
S094376 Edward Paul Sheltroun, Appellant
Petition for review DENIED.

3rd Dist. Sacramento County Deputy Sheriffs' Association, Appellant
C031927 v.
S094758 County of Sacramento, Respondent
Petition for review DENIED.
The request for an order directing depublication of the opinion is denied.

3rd Dist. People, Respondent
C032480 v.
S094600 Edward David Jones, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C032585 v.
S094845 Martin Raymond Becker, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C033002 v.
S094155 Eugene Alexander Dey, Appellant
Petition for review DENIED.

3rd Dist. C033266 S094823	People, Respondent v. Melodye Colombo, Appellant Petition for review DENIED.
3rd Dist. C033421 S094300	People, Respondent v. Ricky James Long, Appellant Petition for review DENIED.
3rd Dist. C033467 S094188	Heavenly Valley et al., Respondents v. El Dorado County Board of Equalization, Appellant El Dorado County Board of Supervisors, Real Party in Interest and Appellant Petition for review DENIED.
3rd Dist. C033759 S094912	People, Respondent v. Mark Duross, Appellant Petition for review DENIED.
3rd Dist. C034060 S094786	People, Respondent v. Rodney Carl Roach, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
3rd Dist. C034738 S094796	People, Respondent v. Clarence E. Godbouldt, Appellant Petition for review DENIED.
3rd Dist. C034870 S094785	People, Respondent v. Tracy Elizabeth Kaufman, Appellant Petition for review DENIED.

3rd Dist. Barbara Sullivan, Petitioner
C036923 v.
S094871 Workers' Compensation Appeals Board, Respondent
Community Colleges Board of Governors, Respondent
Petition for review DENIED.

3rd Dist. In re the Marriage of Sofia Campos-Riedel and Donald M. Riedel
C037338 -----
S094929 Sofia Campos-Riedel, Petitioner
v.
Superior Court of Placer County, Respondent
Donald M. Riedel, Real Party in Interest
Petition for review DENIED.

4th Dist. Jyl Auxter, Respondent
D030839 v.
Div. 1 Infinite Possibilities International, LLC. Et al.,
S094029 Defendants Appellants
Flynn, Sheridan, Tabb & Stillman et al., Objector and Appellants
Petition for review DENIED.
The motions to strike and the request for judicial notice are
denied.

4th Dist. People, Respondent
D032890 v.
Div. 1 Stanley G. Fennell, Appellant
S094905 Petition for review DENIED.

4th Dist. People, Respondent
D032891 v.
D033160 Jeffrey D. Robinson et al., Appellants
D033164 And Companion Cases
Div. 1 Petitions for review DENIED.
S094342 Kennard, J., is of the opinion review should be granted.

4th Dist. People, Respondent
D033511 v.
Div. 1 David M. Lozano, Defendant and Appellant
S094487 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. D033707 Div. 1 S094321	People, Respondent v. Richard Eugene Madsen, Appellant Petition for review DENIED.
4th Dist. D034491 Div. 1 S094591	Sara Baldwin, Appellant v. Dimensional Insurance Agency, Respondent Petition for review DENIED.
4th Dist. D034493 Div. 1 S093985	Randy Morris, Appellant v. Employers Reinsurance Corporation, Respondent Petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.
4th Dist. D034737 Div. 1 S095098	People, Respondent v. Joe Velasco Martinez, Appellant Petition for review DENIED.
4th Dist. D034744 Div. 1 S095080	People, Respondent v. Richard George McGee, Appellant Petition for review DENIED.
4th Dist. D034868 Div. 1 S094935	In re Richard Vernon S., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Richard Vernon S., Appellant Petition for review DENIED.
4th Dist. D035615 Div. 1 S095044	Newport Pacific Inc., et al., Respondents v. County of San Diego et al., Appellants Petition for review DENIED.

4th Dist. People, Respondent
D036422 v.
Div. 1 David Lewis Munoz, Appellant
S095050 Petition for review DENIED.

4th Dist. People, Respondent
D036478 v.
Div. 1 Kathleen Straits, Appellant
S094987 Petition for review DENIED.

4th Dist. People, Respondent
D036497 v.
Div. 1 Duane Arthur Lewis, Appellant
S095054 Petition for review DENIED.

4th Dist. In re Joseph M., a Person Coming Under the Juvenile Court Law
D036640 -----
Div. 1 San Diego Health and Human Services Agency, Respondent
S095028 v.
Regina M., Appellant
Petition for review DENIED.

4th Dist. Oscar Vargas, Petitioner
D037068 v.
Div. 1 San Diego County Superior Court, Respondent
S095030 People, Real Party in Interest
Petition for review DENIED.

4th Dist. William Joseph Baumer, Petitioner
D037202 v.
Div. 1 San Diego County Superior Court, Respondent
S094930 People, Real Party in Interest
Petition for review DENIED.

4th Dist. Eileen M. Gaffney, Petitioner
D037209 v.
Div. 1 San Diego County Superior Court, Respondent
S094831 People, Real Party in Interest
Application for stay and petition for review DENIED.

4th Dist. People, Respondent
D037264 v.
Div. 1 William Joseph Baumer, Appellant
S095511 Application for stay and petition for review DENIED.

4th Dist. People, Respondent
E025730 v.
Div. 2 Donald W. Calkins et al., Appellants
S093805 Petitions for review DENIED.

4th Dist. People, Respondent
E025875 v.
Div. 2 Carlos Gonzales, Appellant
S094884 Petition for review DENIED.

4th Dist. People, Respondent
E026129 v.
Div. 2 Victor Albert Cross, Appellant
S094815 Petition for review DENIED.

4th Dist. People, Respondent
E026252 v.
Div. 2 Jerome Lee Menefee, Appellant
S094122 Petition for review DENIED.

4th Dist. People, Respondent
E026326 v.
Div. 2 Antonio Ortiz, Appellant
S094151 Petition for review DENIED.

4th Dist. People, Respondent
E026859 v.
Div. 2 James Porter III, Appellant
S094550 Petition for review DENIED.

4th Dist. People, Respondent
E026889 v.
Div. 2 Willie Andre Troupe, Appellant
S094986 Petition for review DENIED.

4th Dist. E027356 Div. 2 S094769	People, Respondent v. Gilbert Lee Caldwell, Appellant Petition for review DENIED.
4th Dist. E027366 Div. 2 S094848	People, Respondent v. Vincent Henry Sanchez, Appellant Petition for review DENIED.
4th Dist. E027435 Div. 2 S094765	People, Respondent v. Joe Moreno, Appellant Petition for review DENIED.
4th Dist. E027794 Div. 2 S094025	In re Donald Alan Miller on Habeas Corpus Petition for review DENIED. (<i>In re Miller</i> (1941) 17 Cal.2d 734, 735.)
4th Dist. E028163 Div. 2 S094705	Austin McGreal, Appellant v. Golden State Mortgage Trust, Inc., et al., Respondents Petition for review and request for judicial notice DENIED.
4th Dist. E028334 Div. 2 S094794	People, Respondent v. Anthony David Rivas, jr., Appellant Petition for review DENIED.
4th Dist. E028335 Div. 2 S095092	People, Respondent v. Kent Xavier Anguiano, Appellant Petition for review DENIED.
4th Dist. E028344 Div. 2 S095227	People, Respondent v. Jason Frank Garone, Appellant Petition for review DENIED.

4th Dist. E028348 Div. 2 S094797	People, Respondent v. James Lee Crummel, Appellant Petition for review DENIED.
4th Dist. E028359 Div. 2 S094798	People, Respondent v. Drake Eric Dalton, Appellant Petition for review DENIED.
4th Dist. E028364 Div. 2 S095113	People, Respondent v. Gregory Walter Pollard, Appellant Petition for review DENIED.
4th Dist. E028625 Div. 2 S094647	Diana Trimble, Petitioner v. Workers' Compensation Appeals Board, et al., Respondents Petition for review DENIED.
4th Dist. E028695 Div. 2 S094790	Guadalupe Pena, Petitioner v. San Bernardino County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. E028696 Div. 2 S094816	Matthew Scott Orabona, Petitioner v. Riverside County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
4th Dist. G023637 Div. 3 S094004	Gary Peters, Appellant v. Orange County Superior Court, Defendant Leslie Horne, Real Party in Interest and Respondent Cayer, Kilstofte & Craton, Appellant Petition for review DENIED.

4th Dist. City of Lake Forrest, et al., Appellants
G023884 v.
Div. 3 County of Orange, Appellant
S094525 Petition for review DENIED.

4th Dist. People, Respondent
G023913 v.
Div. 3 Jason Thornton, Appellant
S094364 Petition for review DENIED.

4th Dist. People, Respondent
G023917 v.
Div. 3 Steven Gregory Hickman, Appellant
S094767 Petition for review DENIED.

4th Dist. St. Michael's Abbey of the Norbertine Fathers of Orange, et al.,
G025675 Plaintiffs and Appellants
Div. 3 v.
S094740 County of Orange, et al., Defendants and Respondents
Live Oak Plaza, Real Party in Interest & Respondent
Petition for review DENIED.

4th Dist. People, Respondent
G026014 v.
Div. 3 Gaylor T. Daney, Appellant
S094895 Petition for review DENIED.

4th Dist. People, Respondent
G026098 v.
Div. 3 Jose Alberto Gonzalez, Appellant
S094803 Petition for review DENIED.

4th Dist. In re K. Kaulana, a Person Coming Under the Juvenile Court Law
G026410 -----
Div. 3 Orange County Social Services, Respondent
S095106 v.
Bruce K., Appellant
Petition for review DENIED.

4th Dist. In re Melodee C., a Person Coming Under the Juvenile Court Law
G027064 -----
Div. 3 Orange County Social Services Agency, Plaintiff and Respondent
S094813 v.
Charles C., Appellant
Petition for review DENIED.

4th Dist. In re Jacob C., a Person Coming Under the Juvenile Court Law
G027569 -----
Div. 3 Orange County Social Services Agency, Plaintiff and Respondent
S094873 v.
Susan T., Appellant

In re Susan T. on Habeas Corpus
Petition for review DENIED.

4th Dist. Industrial Investors, Plaintiff and Appellant
G028238 v.
Div. 3 Fujita Corporation et al., Respondents
S095709 Application for stay and petition for review DENIED.

5th Dist. People, Respondent
F030032 v.
S094332 Carlos Ruben Arredondo, Defendant and Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F031256 v.
S094623 Roary Allen Taylor, Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F031719 v.
S095033 Robert Lee McKinney, Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F031754 v.
F033847 Gabriel Flores, Defendant and Appellant
S094064 -----
In re Gabriel Flores on Habeas Corpus
Petition for review DENIED.

5th Dist. People, Respondent
F032189 v.
S094375 Nick Charles Graham, Defendant and Appellant
Petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F032595 v.
F034390 Daniel Lee Butler, Defendant and Appellant
S094505 -----
In re Daniel Lee Butler on Habeas Corpus
Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F032614 v.
S093956 Sabino Martinez, Defendant and Appellant
Petition for review DENIED.’
Kennard, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F033481 v.
S094782 Harold Eugene Espinosa, Defendant and Appellant
Petition for review DENIED.

5th Dist. People, Respondent
F034443 v.
S094963 Steven Hairl Wilhelm, Defendant and Appellant
Petition for review DENIED.

5th Dist. In re Darion A. et al., Persons Coming Under
F035707 the Juvenile Court Law
S094857 -----
Fresno County Dept. of Children & Family Services,
Plaintiff and Respondent
v.
Dean A. et al., Appellants
Petitions for review DENIED.

5th Dist. In re Kymberlina D.,
F035794 a Person Coming Under the Juvenile Court Law
S094839 -----
Dept. of Children & Family Svcs., Plaintiff and Respondent
v.
Lori H., Defendant and Appellant
Petition for review DENIED.

5th Dist. In re Billy Joe Wright
F037099 on
S093990 Habeas Corpus
Petition for review DENIED.

6th Dist. Dino Tomassi, et al., Respondents
H019019 v.
S095071 Joseph Scarff, as Administrator, etc., Respondent
Reliance Insurance Company, Appellant
Petition for review DENIED.

6th Dist. People, Respondent
H019355 v.
S094179 Carmen Rodriguez Delatorre et al., Appellants
Petitions for review DENIED.

6th Dist. Bank of America, Respondent
H019508 v.
S094649 Donald Zandstra, Defendant
John Kitta, Cross-defendant and Appellant
Petition for review DENIED.
Chin, J., did not participate.

6th Dist. Armando D'Agostino, Plaintiff and Appellant
H019530 v.
S095038 Lockheed Missiles & Space Co., Inc., Respondent
Petition for review DENIED.

6th Dist. People, Respondent
H019863 v.
S094983 Arthur Smith-Bailey, Appellant
Petition for review DENIED.

6th Dist. H020123 S094756	People, Respondent v. Annette Marie Morgan-Tully, Appellant Petition for review DENIED.
6th Dist. H020152 S094331	People, Respondent v. Jesus Peter Garcia, Appellant Petition for review DENIED.
6th Dist. H020403 S094408	People, Respondent v. Rafael Barrett, Appellant Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
6th Dist. H020660 S094784	People, Respondent v. Abel Pena Reyes, Appellant Petition for review DENIED.
6th Dist. H021111 S095345	In re Daniel F., a Person Coming Under the Juvenile Court Law ----- Santa Clara County Dept. of Children & Family Svcs., Respondent v. Lewis F., et al., Appellants Petition for review DENIED.
Kern CSC Ap-607 C1147399 S093758	Financial Credit Network Inc., Appellant v. Ramiro Espinoza, Defendant and Respondent The request for an order directing publication of the opinion in the above-entitled case is DENIED.
LACSC App.Dept. 9CM07897 BR40312 S094699	People, Plaintiff and Respondent v. Gene Edward Roscoe, Defendant and Appellant The request for an order directing publication of the opinion in the above-entitled appeal is DENIED.

2nd Dist. Melinda Villarreal, Respondent
B129247 v.
Div. 2 Glendale Adventist Medical Center, Appellant
S094573 The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

2nd Dist. People, Respondent
B133199 v.
Div. 3 Aidin Valla Ghaffari, Appellant
S094993 The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

2nd Dist. People, Respondent
B134223 v.
Div. 1 Ruben Figueroa, Appellant
S094067 The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

2nd Dist. Arthur L. Valdez, Appellant
B134871 v.
Div. 5 County of Los Angeles, Respondent
S093862 The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

2nd Dist. Christine Craig, Appellant
B136651 v.
Div. 1 Brown & Root, Inc, Respondent
S094146 California Employment Lawyers Association, Amicus Curiae;
Consumer Attorneys of California, Amicus Curiae
The request for an order directing depublishation of the opinion in
the above-entitled appeal is DENIED.

2nd Dist. In re K. W. et al., Persons Coming Under the Juvenile Court Law
B137277 -----
Div. 5 Los Angeles County Dept. of Children & Family Svcs., Respondent
S094298 v.
Pauline M., Appellant
The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

2nd Dist. Andrew Stuart Luster, Petitioner
B145137 v.
Div. 6 Ventura County Superior Court, Respondent
S094674 People, Real Party in Interest
The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.
Mosk, J., is of the opinion the request should be granted.

2nd Dist. People, Respondent
C033402 v.
S094134 Timothy Barksdale, Appellant
The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

4th Dist. Jeffrey M. Block, Respondent
D033220 v.
Div. 1 California Department of Motor Vehicles, Appellant
S093717 The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

4th Dist. In re Liam L., a Person Coming Under the Juvenile Court Law
D035478 -----
Div. 1 San Diego County Health & Human Services Agency, Appellant
S094308 v.
Richard L., Respondent
The request for an order directing depublication of the opinion in
the above-entitled appeal is DENIED.

4th Dist. Walt Rankin and Associates, Inc., Appellant
E024139 v.
Div. 2 City of Murrieta, Respondent
S094057 The request for an order directing depublication of the opinion in
the above-entitled appeal is DENIED.

4th Dist. People, Petitioner
E027131 v.
Div. 2 San Bernardino County Superior Court, Respondent
S094557 Collion Carroll, Real Party in Interest
The request for an order directing publication of the opinion in
the above-entitled appeal is DENIED.

6th Dist. Amalgamated Transit Union, Local 265 et al., Appellants
H019680 v.
S092357 Santa Clara County Transit District et al., Respondents

The request for an order directing publication of the opinion in the above-entitled appeal is DENIED.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

A087698/S094710 People v. Robert Neal Anderson – April 26, 2001.

A089965/S094345 Jerry M. Wagner v. Department of Real Estate – April 23, 2001.

A093595/S094704 Michael Fox v. Alameda County Superior Court – April 20, 2001.

B122771/S094651 People v. Paul James Todd – April 24, 2001.

B139219/S094684 People v. Randall Wayne Grimes – April 25, 2001.

B141831/S094844 Gary Morgan, Albert Preciado and Ronnie Jones v. Board of Pension Commissioners of the City of Los Angeles; City of Los Angeles, RPI – April 26, 2001.

C028318/S094665 People v. Christopher Henry Deragon – April 23, 2001.

D033293/S094654 People v. Janice Rodriguez – April 24, 2001.

D034132/S094660 People v. Mark Lee Williams; and Companion Cases – April 24, 2001.

D034189/S094627 People v. Joseph Albert Roberge – April 23, 2001.

E026020/S094691 People v. Kenneth Talhelm – April 25, 2001.

G023592/S094607 People v. Ramon Patton – April 20, 2001.

F028940/S094597 People v. Phia Lee et al. – April 26, 2001.

S092179 People, Respondent

v.

James Bert Wutzke, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's answer brief on the merits is extended to and including April 10, 2001.

S004764 People, Respondent

v.

Miguel Angel Bacigalupo, Appellant

Good cause appearing, the application of appointed lead and associate counsel for permission to withdraw as attorneys of record for condemned prisoner Miguel Angel Bacigalupo, filed February 28, 2001, is granted.

The order appointing Cliff Gardner as counsel of record for condemned prisoner Miguel Angel Bacigalupo, filed January 19, 1988, is hereby vacated, and the order appointing Melissa Johnson as associate counsel of record for condemned prisoner Miguel Angel Bacigalupo, filed November 4, 1991, is hereby vacated.

Robert R. Bryan and Kevin G. Little are hereby appointed attorneys of record for condemned prisoner Miguel Angel Bacigalupo, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S084013 In re **Derek Alden Nguyen** on Discipline

It is ordered that **Derek Alden Nguyen, State Bar No. 163138**, be suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and until he makes restitution to Wendy Khouri (or the Client Security Fund, if appropriate) in the amount of \$8,000.00, plus 10% interest per annum from May 23, 1995, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; that execution of the suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended

for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, and until he makes restitution described above and provides proof thereof to the Probation Unit. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation executed October 27, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and payable in accordance with Bus. & Prof. Code section 6140.7.

*See Business & Professions Code, § 6126, subdivision (c).

S086529 In re **Darnell A. Parker** on Discipline

It is ordered that **Darnell A. Parker, State Bar No. 135739**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 120 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed on February 10, 2000. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order unless he has done so within one year prior to January 19, 2000, and provided satisfactory proof thereof to the State Bar Probation Unit. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2001 and 2002.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S094225 In re **Vladimir Verhovskoy** on Discipline

It is ordered that **Vladimir Verhovskoy, State Bar No. 97039**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he actually be suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed September 29, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2002, 2003 and 2004.

S094227 In re **Leo Benson Wilkes** on Discipline

It is ordered that **Leo Benson Wilkes, State Bar No. 114253**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 30 days actual suspension and restitution. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation executed August 4, 2000, as modified by its order filed September 25, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2001 and 2002.

S094228 In re **Tracy L. Williams** on Discipline

It is ordered that **Tracy L. Williams, State Bar No. 161265**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be actually suspended from the practice of law for 60 days and until she makes restitution to Teresa Head (or the Client Security Fund, if appropriate) in the amount of \$585 plus 10% interest per annum from December 6, 1997, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; and until she makes restitution to Paul D. Bayne (or the Client Security Fund, if

appropriate) in the amount of \$300 plus 10% interest per annum from May 6, 1998, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on September 7, 2000, as modified by its order filed October 5, 2000; and until the State Bar Court grants a motion to terminate her actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating her actual suspension. If respondent is actually suspended for two years or more, she shall remain actually suspended until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of respondent's actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for 90 days or more, it is further ordered that she comply with rule 955 of the California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S094264

In re **Laura Luciana Santos** on Discipline

It is hereby ordered that **Laura Luciana Santos, State Bar No. 150378**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S094267 In re **Kevin Joseph Frank** on Discipline

It is ordered that **Kevin Joseph Frank, State Bar No. 119102**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. He is also ordered to comply with the other conditions of probation, including payment of court ordered sanctions, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 31, 2000. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2002, 2003 and 2004. (Bus. & Prof. Code section 6086.10.)

S0942269 In re **John J. Kozlowski** on Discipline

It is ordered that **John J. Kozlowski, State Bar No. 146169**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed October 26, 2000. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable pursuant Business & Professions Code section 6140.7.

*See Business & Professions Code, § 6126, subdivision (c).

S094271 In re **Charles G. Lester** on Discipline

It is ordered that **Charles G. Lester, State Bar No. 160084**, be suspended from the practice of law for four years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension

be stayed, and that he be placed on probation for five years on condition that he be actually suspended for three years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed September 12, 2000, as modified by its order filed November 2, 2000. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Credit toward the period of actual suspension shall be given for the period of inactive enrollment which commenced on June 25, 2000. Costs are awarded to the State Bar and one-fourth of said costs shall be added to and become part of the membership fees for the years 2002, 2003, 2004 and 2005. (Business & Professions Code section 6086.10.)

*See Business & Professions Code, § 6126, subdivision (c).

S094272 In re **Marc Sean Harvey** on Discipline

It is ordered that **Marc Sean Harvey, State Bar No. 115689**, be suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for eighteen months and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed September 28, 2000. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination within one

year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on January 21, 2000 (In re *Young* (1989) 49 Cal.3d 257, 270). Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

